

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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NICOLE MCMILLEN, et al.,

Case No. 2:14-cv-00780-APG-PAL

Plaintiffs,

ORDER

v.

(Rqst to Stay – Dkt. #141)

LAS VEGAS TOWNSHIP CONSTABLE'S
OFFICE, et al.

Defendants.

Before the court is the parties' Joint Status Report and Request for Stay (Dkt. #141). Counsel advise the court that they have stipulated to withdraw the appeal of the preliminary injunction pending before the Ninth Circuit due to a change in NRS 258.070, effective July 1, 2015. The parties are engaged in settlement discussions to explore a complete resolution of this case. They therefore request a stay of proceedings for sixty days while they explore a global settlement. All parties except John Bonaventura, who is now representing himself pro se, request the court stay, "these proceedings and the rulings on any pending motions for sixty days pending a possible global resolution of this case." An attempt was made to determine Mr. Bonaventura's view, but he could not be reached.

There are two dispositive motions pending. A Motion to Strike the Amended Complaint (Dkt. #100) and Motion to Dismiss (Dkt. #122) filed by Defendants Clark County, Las Vegas Metropolitan Police Department and Sheriff Joe Lombardo. The court will grant the motion to stay this case for sixty days while the parties attempt to reach a global resolution based on their representation their primary dispute is now moot in light of the amendment to the statute at issue. The court will also deem the motions withdrawn without prejudice to request reinstatement if the

1 parties are unable to reach a global resolution rather than have them open on the docket without
2 decision for the period the stay is in place.

3 **IT IS ORDERED** that:

- 4 1. The parties' Joint Request to Stay (Dkt. #141) is **GRANTED**. A sixty-day stay is
5 entered until **October 16, 2015**.
- 6 2. The Motion to Strike (Dkt. #100) and Motion to Dismiss (Dkt. #122) are deemed
7 **WITHDRAWN without prejudice to requesting reinstatement**.
- 8 3. The parties shall have until **October 16, 2015**, in which to file a stipulation for
9 dismissal with prejudice or a joint status report indicating whether a global resolution
10 has been reached, and if so, when the stipulation to dismiss will be filed. If the
11 parties have reached an impasse in settlement negotiations, the status report shall also
12 address whether the parties wish to reinstate the two dispositive motions deemed
13 withdrawn without prejudice in this order.

14 DATED this 19th day of August, 2015.

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17 PEGGY A. LEEN
18 UNITED STATES MAGISTRATE JUDGE
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